



City of Grand Island

Tuesday, July 13, 2021

Council Session

Item F-1

**#9836 - Consideration of Vacation of Two Utility Easement Tracts
at 803, 829 and 831 Bronze Road - Husker Storage**

Staff Contact: Tim Luchsinger, Stacy Nonhof

Council Agenda Memo

From: Timothy Luchsinger, Utilities Director
Stacy Nonhof, Interim City Attorney

Meeting: July 13, 2021

Subject: Ordinance #9836 - Consideration of Vacation of Utility Easement Tracts – 803, 829 and 831 Bronze Road

Presenter(s): Timothy Luchsinger, Utilities Director

Background

Husker Storage has requested the vacation of two (2) existing Ten (10.0) foot utility easement tracts platted on Lot Nine (9) and Lot Ten (10) of Westgate Industrial Park Second Subdivision.

Discussion

The property owner owns Lot 9, 10 and 11 (803, 829 and 831 Bronze Road) of Westgate Industrial Park Second Subdivision. Lots 10 and 11 have recently had storage units constructed on them. The property owner would like to continue building storage units on Lot 9 (803 Bronze Road) without having easement conflicts. The easements currently have no utilities residing in them.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council approve the Ordinance, and that the described easement tracts be vacated.

Sample Motion

Move to approve the Ordinance and vacate the utility easements as described.

THIS SPACE RESERVED FOR REGISTER OF DEEDS

ORDINANCE NO. 9836

This ordinance is to vacate two (2) easement tracts that were platted on the original Plat of Westgate Industrial Park Second Subdivision, and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska; and to provide for the publication and the effective date of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. That the two (2) easement tracts that were platted on the original Plat of Westgate Industrial Park Second Subdivision, and to provide for filing this ordinance in the office of the Register of Deeds of Hall County, Nebraska being more particularly described as follows:

TRACT NO. 1

The southerly ten (10.0) feet of Lot Nine (9), Westgate Industrial Park Second Subdivision; except the westerly seven (7.0) feet and the easterly Eight (8.0) feet of said Lot Nine (9) containing 0.096 acres, more or less.

| | |
|---------------------|-----------------|
| Approved as to Form | ☐ _____ |
| July 9, 2021 | ☐ City Attorney |

ORDINANCE NO. 9836 (Cont.)

TRACT NO. 2

The northerly ten (10.0) feet of Lot Ten (10), Westgate Industrial Park Second Subdivision; except the westerly seven (7.0) feet and the easterly Eight (8.0) feet of said Lot Ten (10) containing 0.096 acres, more or less.

Such Utility Easements to be vacated as shown on Exhibit "A" attached hereto dated 6/21/2021 and incorporated herein by reference.

SECTION 2. This Ordinance is hereby directed to be recorded in the office of the Register of Deeds of Hall County, Nebraska.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be in force and take effect from and after its passage and publication within fifteen (15) days in one issue of the Grand Island Daily Independent as provided by law.

Enacted: July 13, 2021

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

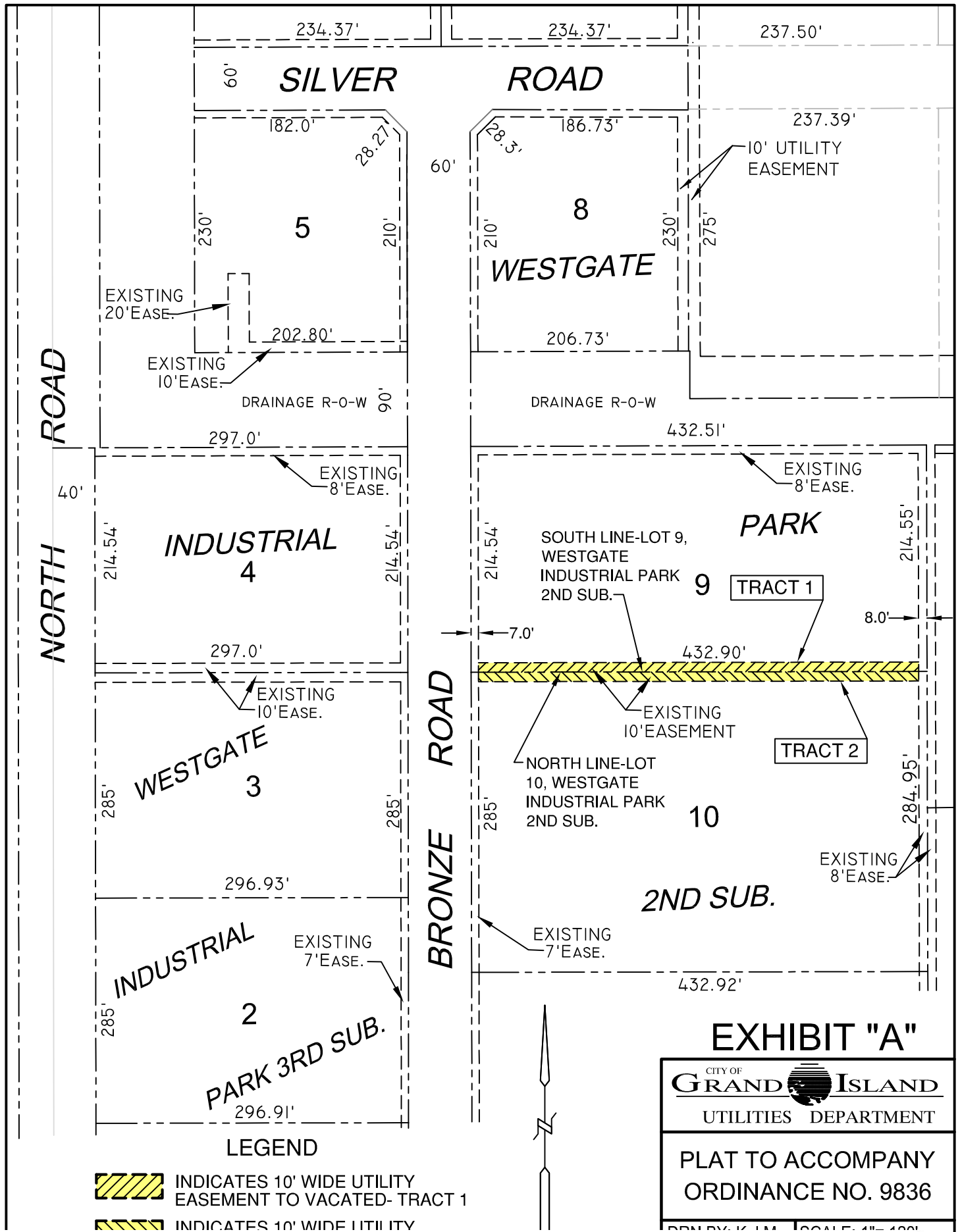


EXHIBIT "A"

CITY OF
GRAND ISLAND

UTILITIES DEPARTMENT

**PLAT TO ACCOMPANY
ORDINANCE NO. 9836**

DATE: 6/21/2021 | FILE: WIP 2ND SUB.